

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

(ALEXANDRIA DIVISION)

ELIDA RIVAS and
DELIA GUTIERREZ,

Plaintiffs,

v.

SALDIVAR & ASSOCIATES, INC.,
et al.,

Defendants

Case No: 1:16-cv-343-LMB-JFA

Request to Clerk for Entry of Default

Plaintiffs Elida Rivas and Delia Gutierrez hereby request that the Clerk enter the default of all four Defendants in this action. In support of this request, Plaintiffs respectfully represent as follows:

Plaintiffs filed their Complaint on March 29, 2016. (ECF No. 1). On April 4, Plaintiffs requested that Defendants waive the service of summonses in accordance with Fed R. Civ. P. 4(d). (ECF No. 2). Defendants never returned the waiver-of-service forms, and the Clerk issued summonses for all four Defendants. (*See* ECF No. 3). Plaintiffs then served the summonses, along with copies of the Complaint, via private process server. (*See* Affidavits of Service, ECF Nos. 4–7).

Upon being served, each Defendant then had 21 days to respond. Fed. R. Civ. P. 12(a)(1)(A)(i). Defendant Michelle Bloxton's answer was due on June 6. (*See* ECF No. 4). Defendant Manuel Chavez's answer was due on June 8. (*See* ECF No. 5). Defendant Saldivar & Associates, Inc.'s answer was due on June 15, as was the answer of Defendant Robert Saldivar. (*See* ECF Nos. 6-7). None of the Defendants filed an answer or other responsive pleading in time.

Under Fed. R. Civ. P. 55(a), if a party fails to file a responsive pleading within the allotted time, the clerk must enter that party's default. Thus, Plaintiffs respectfully request that the Clerk note the default of all four Defendants.

Respectfully submitted this 16th day of June, 2016.

/s/ Nicholas Cooper Marritz
Nicholas Cooper Marritz (VSB No. 89795)
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nicholas@justice4all.org
Counsel for Plaintiffs

Date: June 16, 2016

Certificate of Service

I, Nicholas Marritz, counsel for Plaintiffs, hereby certify that on June 15, 2016, I served Defendants with the foregoing *Request to Clerk for Entry of Default* via U.S. Mail, at the following addresses:

DEFENDANT	ADDRESS 1	ADDRESS 2	ADDRESS 3
Saldivar & Associates Inc. d/b/a R&R Catering Robert P. Saldivar, Registered Agent	8004-A Alban Rd. Springfield, Va. 22150	7956 Cameron Brown Ct. Springfield, Va. 22153	8721 Bitterooot Ct. Lorton, Va. 22079
Robert P. Saldivar	Saldivar & Associates Inc. d/b/a R&R Catering 8004-A Alban Rd. Springfield, Va. 22150	Saldivar & Associates Inc. d/b/a R&R Catering 7956 Cameron Brown Ct. Springfield, Va. 22153	8721 Bitterooot Ct. Lorton, Va. 22079
Michelle M. Bloxton	“Blu 1681” 13188 Marina Way Woodbridge, Va. 22191	6564 Manet Ct., Woodbridge, Va. 22193	
Manuel Chavez	“Blu 1681” 13188 Marina Way Woodbridge, Va. 22191		

/s/ Nicholas Cooper Marritz
 Nicholas Cooper Marritz (VSB No. 89795)
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 nicholas@justice4all.org
 Counsel for Plaintiffs

Date: June 16, 2016